

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SHIRDENIA BRYANT, <i>et al.</i> ,	:	Case No. 1:02cv006
	:	(Judge Spiegel)
Plaintiffs,	:	
	:	
-vs-	:	PLAINTIFFS' MOTION FOR LEAVE TO
	:	FILE NOTARY'S CERTIFICATION AS TO
PRESCOTT BIGELOW, IV, <i>et al.</i> ,	:	DECLARATIONS OF HARRY CURTIS,
	:	SHIRDENIA BRYANT, MARK BURBRINK,
Defendants.	:	AND RUSSELL PAIGE

Plaintiffs hereby move this Court for leave to file the certification of the notary public in the presence of whom each of four declarations, filed on October 27, 2003 in opposition to Defendants' motion for summary judgment, were signed. The Court should grant this motion for the reasons stated below.

MEMORANDUM IN SUPPORT

Defendants have complained to the Court that the four declarations, filed with Doc.46 in opposition to their motion for summary judgment, are deficient and may not be considered for two reasons: (1) because they are not "affidavits" in traditional format; and (2) and because, though executed under penalty of perjury, certain words that Defendants feel essential to statutory declarations are missing. While Plaintiffs believe Defendants are wrong, we also believe this Court's time is too valuable for such hyper technical argument - especially when each declaration was signed and attested under penalty of perjury in the presence of a notary public. Accordingly, the Court should grant Plaintiffs leave file the attached certifications of the notary public in the presence of whom each of the four

declarations were signed. A copy of each declaration is attached and appended to the appropriate certification.

Respectfully submitted,

s/William H. Blessing

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CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2003, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Gary R. Lewis, Attorney, Gary R. Lewis Co. LPA, Cincinnati Club Building, Suite 915, 30 Garfield Place, Cincinnati, Ohio 45202.

s/William H. Blessing

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